

with other emergency communications networks. The joint advisory committee would be required to report its findings to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce, within six months after the date of enactment.

Section 1481(d) of the Senate bill provides authorization for not more than 10 pilot projects to improve the capabilities of emergency communications systems in emergency medical care facilities. Grants would be administered by the Assistant Secretary of Commerce for Communications and Information, would require a fifty percent match, would not exceed \$2 million per grant, and would be geographically distributed to the maximum extent possible.

The Conference substitute adopts the Senate provision, with modifications. Most notably, it authorizes NTIA, in consultation with DHS, to permit up to \$75 million of the Public Safety Interoperability Communications grant to be used by States to contribute to a strategic technology reserve. The substitute permits waivers to States that have already implemented a strategic technology reserve or can demonstrate higher priority public safety communications needs. The Conference substitute adopts the Senate's provisions relating to the FCC's vulnerability assessment and report on emergency communications back-up system. The Conference agreed to set a deadline of 180 days for FCC to deliver its findings to Congress. The Conference substitute also adopts the Senate's provision that directs the Assistant Secretary of Commerce for Communications and Information, in consultation with the Secretary of Homeland Security (the Secretary) and the Secretary of Health and Human Services, to establish a joint advisory committee that will assess current communications capabilities at emergency care facilities.

The Conference substitute provides for reports and audits by the Inspector General of the Department of Commerce. With respect to grants under this title, these provisions strengthen oversight over this program and clarify the intent of the conferees that the provisions in Sec. 2022 of the Homeland Security Act (added by Title I) do not apply to this grant program.

Section 2202. Clarification of Congressional Intent

There is no comparable House provision.

Section 1482(a) of the Senate bill would amend Title VI of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295) by including a savings clause clarifying the concurrent authorities of the Department of Commerce and the Federal Communications Commission (FCC), with respect to their existing authorities related public safety and promoting the safety of life and property through the use of communications. Section 1482(b) of the Senate bill makes the effective date of this savings clause as if enacted with the Department of Homeland Security Appropriations for FY 2007 (Public Law 109-295).

The Conference substitute modifies the Senate language to clarify that it is Congress' intent that Federal Departments and Agencies work cooperatively in a manner that does not impede the implementation of the requirements of Title III and Title XXII of this Act and Title VI of Public Law 109-295.

The Conference observes that Federal Departments and Agencies should not be precluded or obstructed from carrying out their other authorities relating to other emergency communications matters.

Section 2203. Cross Border Interoperability Reports

There is no comparable House provision.

Section 1483 of the Senate bill would require the FCC, in conjunction with the DHS, the Office of Management and Budget, and the Department of State to report, not later than 90 days after enactment on the status of efforts to coordinate cross border interoperability issues and the re-banding of 800 megahertz radios with Canada and Mexico. The FCC would further be required to report on any communications between the FCC and the Department of State regarding possible amendments to legal agreements and protocols governing the coordination process for license applications seeking to use channels and frequencies above Line A, to submit information about the annual rejection rate over the last 5 years by the United States for new channels and frequencies above Line A, and to suggest additional procedures and mechanisms that could be taken to reduce the rejection rate for such applications. The FCC would be required to provide regular updates of the report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce of treaty negotiations related to the re-banding of 800 megahertz radios until the appropriate treaty has been revised with Canada and Mexico.

The Conference Report adopts the Senate provision.

Section 2204. Extension of Short Quorum.

There is no comparable House provision.

Section 1484 of the Senate bill permits two members of the Consumer Product Safety Commission to constitute a quorum for six months following enactment of this Act.

The Conference substitute adopts the Senate provision.

Section 2205. Requiring Reports to Be Submitted to Certain Committees.

Section 1485 of the Senate bill requires under provisions of this Act to be shared with other relevant Congressional Committees.

The Conference substitute modifies the Senate reporting provision and agrees that in addition to the Committees specifically enumerated to receive the reports under this Title, any report transmitted under the provisions of this Title shall also be transmitted to the appropriate Congressional Committees as provided for by under section 2(2) of the Homeland Security Act (6 U.S.C. §101).

TITLE XXIII—911 MODERNIZATION

Section 2301. Short Title

The Conference substitute provides that Title XXIII may be cited as the "911 Modernization Act."

Section 2302. Funding for Program

There is no comparable House provision.

Section 1702 of the Senate bill amends Section 3011 of Public Law 109-171 (47 U.S.C. §309) to give borrowing authority to the Assistant Secretary of the National Telecommunications and Information Administration (NTIA) for not more than \$43,500,000 to implement the Enhance 911 Act of 2004 (Public Law 108-494). The Assistant Secretary must reimburse the Treasury without interest once funds are deposited into the Digital Television Transition and Public Safety Fund.

The Conference substitute adopts the Senate provision.

Section 2303. NTIA Coordination of E-911 Implementation

There is no comparable House provision.

Section 1703 of the Senate bill amends Section 158(b)(4) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. § 942(b)(4)) to require the Assistant Secretary and the Administrator of the National Highway Safety Administration to issue regulations that

allow a portion of the Phase II E-911 Implementation Grants to be prioritized for Public Safety Answering Points (PSAPs) that were not capable of receiving 911 calls on the date of the enactment of the Enhanced 911 Act of 2004 (Public Law 108-494). These grants will be used for the incremental cost of upgrading from Phase I to Phase II compliance. Such grants are subject to all the other requirements of this section, such as the fifty percent matching funds requirement and the requirement to certify that no portion of any E-911 charges imposed by an applicant's State or taxing jurisdiction are being obligated or expended for any purpose other than for which such charges were designated.

The Conference substitute adopts the Senate provision.

TITLE XXIV—MISCELLANEOUS PROVISIONS

Section 2401. Quadrennial Homeland Security Review

There is no comparable House provision. However, the House passed a similar provision in H.R. 1684, the Department of Homeland Security Authorization Act for Fiscal Year 2008, which called for a Comprehensive Homeland Security Review at the beginning of each new Presidential Administration.

Section 1606 of the Senate bill included a provision to conduct a Quadrennial Homeland Security Review, requiring the Department of Homeland Security (the Department or DHS) to conduct a comprehensive examination of the national homeland security strategy.

The Conference substitute adopts a compromise provision which in several places clarifies the scope of the Review. It requires the Secretary of Homeland Security (the Secretary) to carry out the first Quadrennial Homeland Security Review in Fiscal Year 2009, and every four years thereafter. The Conferees believe that this review should take place in the first year after a Presidential election, so that a new Administration can act upon the results of the review or a re-elected Administration can review its policies and emerging threats and revise the review accordingly. This also recognizes the time span during which a new President will appoint and the Senate will confirm senior departmental officials who will be responsible for this review. The provision also requires the Secretary to consult with other Federal agencies, key officials of the Department, and other relevant governmental and non-governmental entities in carrying out the review.

The Conference substitute also describes the required content of the review, including an update of the national homeland security strategy, a prioritization of homeland security mission areas, and the identification of a budget plan for executing these missions. These review activities are intended to strengthen the linkages between strategy and execution at the Department of Homeland Security. The Conference substitute requires the Secretary to submit to Congress a report regarding the results of the Quadrennial Homeland Security Review no later than December 31 of the year in which a review is conducted, and also to make that report public consistent with the protection of national security and other sensitive matters. It also requires the Department to begin in Fiscal Year 2007 and Fiscal Year 2008 to prepare to carry out this review, and to report to Congress on these preparations.

The Conference understands that the Administration already has begun this process by including a request for designated funding